IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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WRIT PETITION NO : 14139 of 2005

Between:

Y. Kondaiah, S/o. Devadas,
R/o. 9-197, Mariapuram, Akkayapalli Mandal, Cuddapah District.

..... PETITIONER

AND

1. The A.P. State Road Transport Corporation, rep by its Vice Chairman and Managing Director, Musheerabad, Hyderabad.

2. The A.P. State Road Transport Corporation Rep by its Regional Manager, Cuddapah.

3. The Personnel Manager, APSRTC, Cuddapah Region, O/o. Regional Manager, Cuddapah Region, Cuddapah.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of writ of Mandamus declaring the action of the second respondent in issuing the proceedings vide No. E6/684(1)/99-RM'C' dated 19-10-2002 (Similar Proceedings /notices were issued to the petitioner) deleting the name of the petitioner from the list of drivers panel alleging that he did not report for duty during the strike period without issuing any notice and without conducting any enquiry, as illegal, unjust, arbitrary and contrary to the regulations of the corporation and as such liable to be aside in the interest of justice with a consequential direction to continue the petitioner as driver in the corporation forthwith.

Counsel for the Petitioner: MR.V.RAVI KIRAN RAO

Counsel for the Respondents: MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the order of the respondent-Corporation in deleting his name from the panel of casual drivers on the ground that he did not report for duty from 15.10.2001 to 07.11.2001 i.e., during strike period.

According to the petitioner, he was not aware of the paper publication issued by the respondent-Corporation directing the petitioner and other similarly placed persons for attending duties. It is stated that this Court, with reference to similarly placed persons, set aside the proceedings of the Corporation and directed the Corporation to restore their position in the same status in which they were placed prior to the order.

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

This Court has already set aside similar order in W.P.No.23136 of 2004 by an order dated 14.12.2004 in the case of **E.Chinna Ramana and another v APSRTC**. As the petitioner is also similarly placed and in fact the impugned order is almost identical to the one which

was set aside in the above writ petition, the impugned proceedings are set aside and the respondents are directed to restore the name of the petitioner in the panel of casual drivers, and engage him as he was being engaged when his name was not removed from the said panel.

The writ petition is accordingly disposed of. No costs.

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01.07.2005

VGB

To

1. The Vice Chairman and Managing Director, A.P. State Road Transport Corporation, Musheerabad, Hyderabad.
2. The Regional Manager, A.P. State Road Transport Corporation, Cuddapah.
3. The Personnel Manager, APSRTC, Cuddapah Region, O/o. Regional Manager, Cuddapah Region, Cuddapah.
4. 2CD copies.